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January 23, 1990

RECORDATION NO. 15633-B FILED 1425

**VIA FEDERAL EXPRESS**

JAN 24 1990 - 11 55 AM

INTERSTATE COMMERCE COMMISSION

Honorable Noreta R. McGee  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

Dear Ms. McGee:

On behalf of Helm Financial Corporation, I submit for filing and recording under 49 U.S.C. Section 11303 (a) and the regulations promulgated thereunder, four (4) executed counterparts of a document entitled Correction of Termination of Lease of Railroad Equipment, executed as of January 18, 1989, which should be included as part of the filing recorded on May 11, 1988, Recordation No. 15633, as the next available recordation number being 15633-B.

The executing party to the enclosed Correction of Termination is:

Kyle Railroad Company - Lessor  
3rd and Railroad Avenue  
Phillipsburg, Kansas 67661

The Correction of Termination amends the Termination of Lease of Railroad Equipment recorded on December 28, 1989, which terminates the lease of the locomotives listed in Schedule A to the Lease of Railroad Equipment dated as of December 29, 1987 (the "Lease"), between Kyle Railroad Company and Helm Financial Corporation, filed under the ICC Recordation No. 15633.

The equipment covered is listed in Schedule A to the Lease.

A short summary of the document to appear in the ICC Index is as follows:

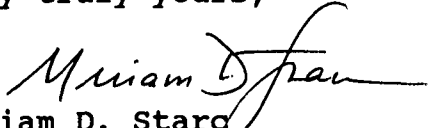
"Termination of Lease of Railroad Equipment."

Enclosed is a check in the amount of fifteen dollars (\$15.00) in payment of the filing fee. Once the filing has been made, please return to me the stamped counterparts of the Correc-

Honorable Noreta R. McGee  
January 23, 1990  
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tion of Termination not needed for your files, together with the fee receipt, the letter from the ICC acknowledging the filing, and the two extra copies of this transmittal letter.

Very truly yours,

  
Miriam D. Staro

Enclosures

**Interstate Commerce Commission**  
Washington, D.C. 20423

1/24/90

OFFICE OF THE SECRETARY

Mirian D. Starc

Manwell & Wes

Citicorp Center

One Sansome Street 14th Fl.

San Francisco, Calif. 94104

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 1/24/90 at 11:55am and assigned recordation number(s). 4577-B & 15633-B

Sincerely yours,



Noreta R. McGee  
Secretary

Enclosure(s)

CORRECTION OF TERMINATION OF LEASE OF RAILROAD EQUIPMENT

THIS CORRECTION OF TERMINATION OF LEASE OF RAILROAD EQUIPMENT, dated as of January 18, 1989, by Kyle Railroad Company, a Kansas corporation ("Kyle").

A. Kyle entered into a Lease of Railroad Equipment dated as of December 29, 1987 (the "Lease") with Helm Financial Corporation with respect to certain locomotives described in Schedule A to the Lease (the "Locomotives"). The Lease is on file at the Interstate Commerce Commission ("ICC") under Recordation Number 15633 filed on May 11, 1988.

B. On December 28, 1989 at 1:55 p.m., there was recorded with the ICC under Recordation Number 15633-A a Termination of Lease of Railroad Equipment dated as of January 18, 1989 (the "Termination") which erroneously described the Lease as between Kyle and Burlington Northern Railroad. Kyle desires to record this Correction of Termination of Lease of Railroad Equipment to correct said error by restating paragraphs 1 and 2 of the Termination to read in their entirety as follows:

"1. Recitals: Kyle entered into a Lease of Railroad Equipment dated as of December 29, 1987 (the "Lease") with Helm Financial Corporation with respect to certain locomotives described in Schedule A to the Lease (the "Locomotives"). The Lease is on file at the Interstate Commerce Commission ("ICC") under Recordation Number 15633 filed on May 11, 1988.

The Lease was terminated on January 18, 1989. The purpose of this Termination of Lease of Railroad Equipment is to provide a formal termination document for filing with the ICC.

2. Termination: The Lease is hereby formally terminated."

C. Except as expressly provided herein, the Termination shall remain in full force and effect.

IN WITNESS WHEREOF, Kyle, pursuant to due authority, has executed this Correction of Termination of Lease of Railroad Equipment as of the date first written above.

KYLE RAILROAD COMPANY

By: 

Title: Vice President - Operations

STATE OF KANSAS )  
 ) §  
COUNTY OF PHILLIPS )

On this 16th day of January, 1990, before me, a Notary Public in and for said County, personally came Rick Cecil, to me known, who, being by me duly sworn, did depose and say that he is V.P., Operations of KYLE RAILROAD COMPANY, and he acknowledged to me that he executed the within instrument by order of the Board of Directors of said corporation and that such Correction of Termination was the free act and deed of said corporation in its capacity aforesaid.

Mary Beth Barta  
Notary Public

My commission expires: Sept. 17, 1992

[Notarial Seal]

